

Municipal Building, Harmony, NJ, January 6, 2004.
7:30 p.m.

Regular Preside	<p>The regular meeting of the Township Committee of Harmony Township, Warren County, New Jersey was called to order by Mayor Louis G. Mattei. Mayor Mattei made the following announcement: Adequate notice of this meeting was given in accordance with the Open Public Meetings Act by providing a notice of the meeting to The Star-Gazette and The Express-Times, posting a copy thereof on the Township bulletin board and filing a copy thereof in the office of the Municipal Clerk. The Pledge of Allegiance to the American Flag was led by Mayor Mattei.</p>
Roll call	<p>Present were Mayor Louis G. Mattei, Committeeman John H. Burdge, Committeewoman Abigail Crouse, Municipal Attorney William R. Edleston, Engineer Nevitt Duveneck and Zoning/Code Enforcement/Public Officer John S. Fritts.</p>
Consent Agenda	<p>Moved by Mattei, seconded by Burdge to approve the consent agenda items that included the following:</p> <p>Minutes Year End meeting minutes of December 29, 2003.</p> <p>Reports Animal Control Officer s report for the month of December which included a (1) Rabies Clinic, (2) 2.5 hours and (3) 14 miles.</p> <p>Recreation Site Groundskeeper daily report for the months of November and December 2003.</p> <p>Tax Collector Joseph Hriczak s report for the month of December 2003 was submitted which included the following collections (1) 2002 taxes \$1,911.69 (2) 2003 taxes \$63,713.59, (3) prepaid 2004 taxes 15,151.65, (4) interest \$1,725.48, (5) total month s collections \$82,502.41, (6) year to date total collections \$8,751,863.80.</p> <p>R:04-08 Temp. Budget 2004 HARMONY TOWNSHIP TEMPORARY BUDGET</p> <p>WHEREAS, N.J.S.A 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2004 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and</p> <p>WHEREAS, the date of this Resolution is within the first thirty (30) days of January 1, 2004; and</p> <p>WHEREAS, 26.25% of the total appropriations in the 2003 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2003 budget is the sum of \$410,308.50.</p> <p>NOW, THEREFORE, BE IT RESOLVED, that the following appropriations be made, and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for her records:</p>

TEMPORARY APPROPRIATIONS 2004

	<u>Salaries</u>	<u>Other Expenses</u>
General Administration	8,500.00	7,500.00
Mayor and Council	3,600.00	
Municipal Clerk	10,800.00	
Finance Administration	6,000.00	1,500.00
Audit Services		5,000.00
Tax Assessor	5,000.00	7,000.00
Tax Collector	6,020.00	1,500.00
Legal Services		15,000.00
Engineer Services		15,000.00
Historical Sites (Commission)		2,000.00
Planning Board	4,200.00	10,000.00
Zoning Officer	3,000.00	
Liability Insurance		34,000.00
Worker s Compensation Insurance		18,000.00
Employee Group Insurance		15,000.00
Unemployment Insurance		1,000.00
Emergency Management	3,000.00	1,500.00
Aid to Volunteer Fire Co.		30,000.00
Streets and Roads Maint.	30,000.00	42,638.50
Public Buildings and Ground		5,000.00
Planning Board	4,000.00	5,000.00
Environmental Health Svcs.(Commission)		300.00
Animal Control Services	2,000.00	1,000.00
Maintenance of Parks	2,400.00	5,000.00
Electricity		3,000.00
Street Lighting		600.00
Telephone		2,000.00
Fuel Oil		1,500.00
Gasoline		1,500.00
Landfill/Solid Waste Disposal	600.00	5,000.00
Interlocal Service Agreements Municipal Court		6,250.00
Public Defender		200.00
Social Security		7,000.00
Bond Payment & Interest		71,200.00
TOTAL		
Total: Salaries	\$ 89,120.00	
Total: Other Exp.	\$321,188.50	
Total:2003 Temp. Budget	\$410,308.50	

R:04-09 RESOLUTION AUTHORIZING MUNICIPAL ATTORNEY
AND/OR SPECIAL TAX COUNSEL TO EXECUTE
STIPULATIONS, CORRECT ASSESSMENTS IN
TAX COURT, FILE ADDED, OMITTED, OMITTED/
ADDED ASSESSMENTS, ROLL-BACK TAX
COMPLAINTS AND TAX APPEALS

WHEREAS, the Township Committee of the Township of Harmony, County of Warren and State of New Jersey, has been informed that in certain instances, the Municipal Attorney and/or Special Tax Counsel may be required to execute, stipulate and make corrections or adjustments resulting from tax appeal complaints filed against the municipality and therefore the Municipal Attorney and/or Special Tax Counsel will need further approval to file omitted assessments and farmland roll-back tax complaints, all in the name of the Township of Harmony; and

WHEREAS, the Warren County Board of Taxation requires a resolution by the Township Committee to authorize such action by the Municipal Attorney and/or Special Tax Counsel retained by the Township which are authorized to act as agents for the Township Committee; and

WHEREAS, the Township Committee desires to grant such authority to the Municipal Attorney and/or Special Tax Counsel;

NOW, THEREFORE BE IT RESOLVED that the aforementioned individuals, individually or collectively, are hereby authorized to file, stipulate, modify, agree upon and otherwise perform the duties which are required of said Municipal Attorney and/or Special Tax Counsel in the above aforementioned circumstances which are within the jurisdiction of the Warren County Board of Taxation and the New Jersey Tax Court.

BE IT FURTHER RESOLVED that the Municipal Clerk be directed to forward a certified copy of the resolution to the Warren County Board of Taxation and the Municipal Attorney.

Bingo/ Raffle Harmony Cooperative Nursery School Bingo License #04:02 and Raffle License #04:02.

Payment Of Vouchers	Ck. #		Amount
	9429	Lyn Paul Aaroe, Esq.	\$1,826.30
	9430	Verizon	845.58
	9431	PA Department of Revenue	147.93
	9432	State of New Jersey	914.18
	9433	Montana United Methodist Church	750.00
	9434	Agway Energy Products	246.95
	9435	Gene & George Smith Sanitation	656.68
	9436	Conditi s Truck World of Newton	171.36
	9437	Parkway Auto Parts & Tires	12.00
	9438	NAPA Auto Parts	126.22
	9439	Storr Tractor Company	25.09
	9440	Vernon Motors, Inc.	4,734.15
	9441	JCP&L	644.43
	9442	AT&T	286.61
	9443	Finelli Consulting Engineers	2,183.25
	9444	Joseph Shandor, Sr.	100.00
	9445	Seely Equipment & Supply Co.	918.48
	9446	Harry S. Pursel, Inc.	98.95
	9447	William R. Edleston, Esq.	2,485.69
	9448	Jerilyn Vernotica	15.00
	9449	Robin Berry	15.00
	9450	Ellen Zukoski	15.00
	9451	Danika Dow	15.00
	9452	C.J. Strzepek	15.00
	9453	Randal M. Cowan, Jr.	15.00
	9454	Sarah McCrate	15.00
	9455	Nick Rodaligo	15.00
	9456	NJSHBP	2,798.90
	9457	International Healthcare, Inc.	185.00
	9458	Arch Wireless	94.55
	9459	AT&T Wireless Service	134.20
	9460	Harmony Spirits & Grocery, Inc.	260.90
	9461	Loyce C. Johnson	25.11
	9462	NJ Division of Fire Safety	449.00
	9463	White Glove Treatment	260.00
	9464	Leggette, Brashear & Graham, Inc.	2,164.44
	9465	Harmony Lions Club	500.00
	9466	Belvidere High School	500.00
	9467	Lyn Paul Aaroe, Esq.	1,382.50
	9468	Federal Express Corp.	18.36

9469	Mace Consulting Engineers	2,501.10
9470	Ardito & Co., LLP	3,525.00
9471	NJ Planning Officials	245.00
9472	Municipal Software, Inc.	1,527.00
9473	J. Richard Collins	248.00
9474	Vital Services Group	582.05
9475	Keystone Business Products	101.38
9476	Fox Bros. Alarm Services, Inc.	639.00
9477	NJCM	295.00
9478	NJ Mayor s Association	100.00
9479	NJ League of Municipalities	323.00
9480	Harmony Sand & Gravel	2,752.52
9481	Allied Oil	716.41
9482	Moore Wallace North America	35.21
9483	Home Depot	10.00
9484	Metrocall	137.00
9485	Agway Energy Products	498.33
9486	High Bridge Salt	9,934.29
4619	James E. Fox	1994.71
4620	Randy M. Hoffman	1302.28
4621	Frank I. McLain	1578.90
4622	Kelley D. Smith	908.34
4623	James E. Fox	1189.45
4624	Randy M. Hoffman	861.35
4625	Frank I. McLain	1496.97
4626	Kelley D. Smith	897.76
4627	James E. Fox	2362.60
4628	Randy M. Hoffman	1498.88
4629	Frank I. McLain	1799.35
4630	Kelley D. Smith	897.76
4631	J. Richard Collins	287.83
4632	Mary E. Dobes	1350.14
4633	John S. Fritts	610.08
4634	Joseph Hriczak	1144.00
4635	Richard J. Motyka	972.47
4636	Theresa Rogers	158.45
4637	Ann Viebrock	568.33
1001	Finelli Consulting Engineers	784.75
1002	Denville Line Painting, Inc.	1,465.52
3185	Mace Consulting Engineers	1,854.30
3186	Lyn Paul Aaroe, Esq.	762.45
3187	Elizabeth McKenzie	1,032.51
3188	Finelli Consulting Engineers	780.00
873	NJ Dept of Health & Sr. Services	26.40
1030	Dickinson & McCormick, Inc.	3,700.00

Roll Call: Ayes: Mattei, Burdge, Crouse. Nays: none.

Reports

Presented

Engineer Nevitt Duveneck presented the engineers report for December which included 2) information gathered on the State Bid and Morris County Coop bid for the Mason dump truck, (2) discussion regarding Unified Environmental, Nevitt will contact them for February meeting, (3) information on the NJDOT Municipal Trust Fund Grant for guidrail replacement. Engineer Duveneck discussed different options for bidding the project through the Morris County Co-op program vs. their office preparing the bids and noted that it can be awarded right away. Mayor Mattei asked him to check the state contract prices also. Nevitt will determine which option would be most cost beneficial for Harmony and report to the Committee in February, (4) Engineer Duveneck reported that we received a request from FEMA to complete a Biennial Report of the flood plain areas in the township and (5) reminded the committee that the State is currently in the process of adopting new regulations governing stormwater management. Once the Township receives the applications for certification, Engineer Duveneck will be able to evaluate the municipalities responsibilities.

Moved by Mattei, seconded by Crouse to have Engineer Duveneck complete the FEMA Biennial Report.
Roll Call: Ayes: Mattei, Crouse, Burdge. Nays: none.

Moved by Burdge, seconded by Mattei to approve the Engineers Report as submitted. Roll Call: Ayes: Burdge, Mattei, Crouse. Nays: none.

Jim Fox presented the Road Supervisors report of daily activities for the month of December. Areas of discussion included paving Harmony Station and the Oil and Chip program for 2004. Engineering Duveneck will provide an estimate for 8 miles of road, 20' wide for oil and chip. Jim Fox is to provide an estimate for paving 4/10 mile on Ridge Road to complete the work that was done last year.

Moved by Burdge, seconded by Crouse to approve the Road Supervisors report as submitted. Roll Call: Ayes: Burdge, Crouse, Mattei. Nays: none.

Zoning Officer John Fritts provided his report for the month of December which included the following: (1) Jeff Koch called about a co-location on a cell tower. Planning approval is required, (2) Eric Schmidt called about environmental remediation, (3) Robert Shandor and realtors met at my office to discuss the change of use of a building from an oil company delivery service to a roofing contractors business, (4) John Hoffman, Hoffman Machines, called about a use of a property on Belvidere Road, (5) Dave Dellecker, Belvidere Road, called about adding a 16x16 sun room, the room is located in the side yard setback, (6) Bill Rosebrock called about the zoning classification for a property near Harmony Presbyterian Church for appraisal value, (7) Mary Vieburn, River Road, called about a handicap ramp in front of her house, (8) Ed Scheer talked about the use of a property at the corner of Route 519 and Strykers Road. The property is located in the office-business zone, but majority of the land is within the flood zone of the Lopatcong Creek, (9) Gail Raub inquired about subdividing property on Slaters Lane. A variance is required because property does not front a public road, (10) did investigation regarding the driveway of a 1979 subdivision located across from Harker's Golf Course. The property in question was built approximately in 1981. The zoning code of 1979 does not refer to any paving of driveways, only that the entrance shall have concrete to the sidewalk edge. This development does not have sidewalks presently.

Discussion ensued on item #10 in the Zoning Officers report. It has become a question of public safety/health hazard. John Fritts will do further investigation and check the slope. Road Supervisor Jim Fox inspected the property this evening and the condition at this time is not too bad.

Ms. Lori Taffner, resident of Harker's Hollow Court, expressed concern regarding the driveway in question. She reported that there is a second drain she located on her property that is full of stones and covered by brush. She has cleaned it out with a shop vac to temporarily remedy the problems created by the stones flushing into the drainage easements and her driveway. Jim Fox will inspect this drain and follow up. Ms. Taffner also complained that this homeowner neglects his lawn for up to 6 weeks at a time during the growing season. She is also concerned that this spring he will get another load of stone and the stones will continue to wash into her driveway and into the drainage easements. The committee recommended that she takes pictures for documentation.

Moved by Burdge, seconded by Crouse to approve the Zoning Officers report. Roll Call: Ayes: Burdge, Crouse, Mattei. Nays: none.

Witco

Committeeman Burdge reported that there is a lot of vandalism taking place at the old Witco facility. The fence is cut and windows and doors broke. He had met with the Crompton representative that is doing the environmental work on the site. There seems to be more remediation necessary than originally thought.

Moved by Burdge, seconded by Mattei to authorize the Municipal Engineer to follow up with the remediation efforts and to set up a site visit with Mark Pettegrew of Crompton Corp.

It was the consensus of the committee and the attorney that the building should be secured. Jim Fox will purchase the necessary materials to seal up doors, windows and repair the cut fence.

Corres-
Pondence

The following correspondence was reviewed by the committee:

Warren County Department of Public Safety
Notification to Sgt. William McDonnell, NJ SP Office of Emergency Management, that Harmony Township Office of Emergency Management has successfully completed all phases of the SLAHEOP program under the direction of Coordinator Richard Collins.

Office of Gov. McGreevy
Notice of formal adoption of two sets of stormwater rules that protect water quality and preserve the integrity of drinking water supplies statewide.

NJ League of Municipalities
Notice of important provisions by the DEP in the stormwater regulations that lessen the mandated costs on municipal government.

O:04-01 Moved by Burdge, seconded by Mattei to introduce the following ordinance:
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O:04-02 MovedMoved Moved byMoved by Moved by Mattei,Moved by Mattei, Moved by Mattei, secondedMoved by Mattei, seconded Moved by
Establish
An Index
Rate

AN ORDINANCE TO ESTABLISH AN INDEX RATE
GREATER THAN THE CERTIFIED RATE FOR THE YEAR 2004

WHEREAS, the Local Government Cap Law, N.J.S.40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 5% or the index rate, whichever is less, over the previous year s final appropriations, subject to certain exceptions; and,

WHEREAS, P.L.. 1986, C.203, amended the Local Government Cap Law, to provide that a municipality may, in any year in which the index rate is less than 5% , increase its final appropriations by a percentage rate greater than the index rate but not to exceed the 5% rate as defined in the amendatory law, when authorized by ordinance; and,

WHEREAS, the index rate for 2004 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5% and,

WHEREAS, the Township Committee of the Township of Harmony in the County of Warren finds it advisable and necessary to increase its 2004 budget by more than 2.5% over the previous year s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 5% increase in the budget for said year, amounting to \$54,203.70 in excess of the increase in final appropriations otherwise permitted by the Local government Cap law, is advisable and necessary.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Harmony, County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2004 budget year, the final appropriations of the Township of Harmony shall, in accordance with this ordinance and P.L.. 1986, C.203, be increased by 5 %, amounting to \$54,203.70 and that the 2004 municipal budget for the Township of Harmony be approved and adopted in accordance with this ordinance; and, the Township of Harmony be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government services within five (5) days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading by the Harmony Township Committee as its regular monthly meeting held on Tuesday, January 6, 2004, which Ordinance shall be given further consideration for final passage following a public hearing to be conducted thereon, at its regular monthly meeting to be held on Tuesday, February 3, 2004, which shall commence at 7:30 p.m. at the Harmony Township Municipal Building 3003 Belvidere Road, Phillipsburg, New Jersey.

Roll Call: Ayes: Mattei, Crouse, Burdge. Nays: None.

Animal Control Position Letter of resignation by Theresa Rogers, Animal Control Officer, was acknowledged at this time. Her effective date of resignation is April 1, 2004. Moved by Mattei, seconded by Crouse to allow the Municipal Clerk advertise for a replacement in this position. Roll Call: Ayes: Mattei, Crouse, Burdge. Nays: None

Public Comment 1. Ms. Jane Nemeth, resident, asked what an Index Rate means. The municipal clerk responded to her satisfaction.

3yy Karen Buckley, resident, asked about the Township Website. How far along it is in development. She suggested contacting the County IT person for assistance. Previously the Harmony 8th grade students had been working on the information. Mayor Mattei will follow up with CSA Vicki Pede at the school.

2yy Ms. Jane Nemeth, resident, asked if there was anything that could be done with cabbage that is spoiling on the Harmony Dale Farm property. It is creating a rotten odor in this area. Committeewomen Crouse explained that it had been too wet to go into the fields to plow under and now the ground is frozen so it is still difficult to plow under. She will follow up with the land owner and determine what options are available to dispose of the raw vegetation.

R:04-10 Moved by Mattei, seconded by Burdge to go into Executive Session. Roll Call: Ayes: Executive Session Mattei, Burdge, Crouse. Nays: None

9:00 p.m.-9:30 p.m. WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances present exist.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Harmony, County of Warren and State of New Jersey, as follows:

3yy The public shall be excluded from discussion of and action upon the hereinafter specified matter.

4yy The general nature of the subject matter to be discussed is as follows:

Personnel

3. It is anticipated at this time that the above stated matter will be made public at such time as deemed appropriate.

2yy This Resolution shall take effect immediately.

At the conclusion of the executive session, Mayor Mattei opened the meeting to the public at 9:30 p.m.

Merrill Moved by Mattei, seconded by Burdge to authorize Attorney Edleston to contract

- Creek Appeal

the services of the appraisal firm recommended by John Lloyd to do appraisal of the Merrill Creek Reservoir. Roll Call: Ayes: Mattei, Burdge, Crouse. Nays: None.
- Tjalma Farmland Preservation

Moved by Mattei, seconded by Burdge to authorize Finelli Consulting Engineering to do survey work on the Tjalma property for farmland preservation purposes. Roll Call: Ayes: Mattei, Burdge, Crouse. Nays: None.
- Appreciation dinner

The appreciation dinner was discussed. It was agreed to follow up with a contract at Harker s Hollow for Friday, March 5th. A cash bar, hors d'oeuvre selections and buffet dinner will be planned.
- Adjourn:

Moved by Burdge, seconded by Mattei to adjourn the meeting at 9:40 p.m. Roll Call: Ayes: Burdge, Mattei, Crouse. Nays: None.

Kelley D. Smith, Municipal Clerk